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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/532,337	04/22/2005	Hiroshi Tunoda	100341-00060	9937
4372	7590	10/10/2007	EXAMINER	
ARENT FOX LLP 1050 CONNECTICUT AVENUE, N.W. SUITE 400 WASHINGTON, DC 20036			HSU, AMY R	
			ART UNIT	PAPER NUMBER
			2622	
			NOTIFICATION DATE	DELIVERY MODE
			10/10/2007	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary

Application No.

10/532,337

Applicant(s)

TUNODA, HIROSI

Examiner

Amy Hsu

Art Unit

2622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 April 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 10-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 10-12, 14-17 is/are rejected.
- 7) ☒ Claim(s) 13 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 April 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>4/22/2005</u> . | 6) <input type="checkbox"/> Other: _____ |

Specification

1. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

2. **Claims 10, 11, 14-17** are rejected under 35 U.S.C. 102(e) as being anticipated by Ueno et al. (US 6757016).

Regarding **Claim 10**, Ueno teaches an electronic camera (*Col 8 Lines 4-5*) comprising: an image sensor (*Fig. 3 reference number 710 is an image pickup unit*

Art Unit: 2622

which one skilled in the art realizes has an image sensor, also specifically in Col 19 Lines 14) having a light-receiving surface to which a plurality of first pixel blocks are assigned (710 contains a pixel unit, or block, 712 which receives light as described in Col 8 Lines 12-13); a reading means for reading electrical charges generated on said light-receiving surface from said image sensor (Fig. 3 reference number 713 and Col 8 Lines 14-15) by scanning said plurality of first pixel blocks in a specific order (Fig. 8 shows a vertical scanning circuit which scans the pixels in specific order); a generation means for generating image data (Col 3 Lines 60-61 teach that the apparatus taught by Ueno, such as that show in Fig. 3, generates image signals for generating image data) for each second pixel block corresponding to the first pixel block based on the electrical charges read by said reading means (Fig. 3 reference number 713 reads the electrical signals from the pixel block of 712, the first pixel block, and then the original signal goes through Fig. 24 reference number 720 before it goes to the compression unit, 820. The signal going into 820 corresponds to the signal going into 720); a compression means for compressing the image data generated by said generation means for each second pixel block in said specific order (Fig. 24 reference number 820); a decompression means for decompressing the compressed image data generated by said compression means for each second pixel block in said specific order (Fig. 24 reference number 830); and an output means for outputting the decompressed image data generated by said decompression means (Fig. 24 reference number 850).

Regarding **Claim 11**, Ueno teaches an electronic camera according to claim 10, further comprising: a first activation means for activating said compression means in response to a photographing instruction (*Fig. 24 shows the procedure of handling the picked up image signal. One skilled in the art recognizes that a digital camera will have an input for instructing start of the photographing procedure, and it would trigger the handling of the signal as depicted in Fig. 24*); and a second activation means for activating said decompression means in response to completion of a compression process by said compression means (*Col 27 Lines 21-24 teaches the decompression, or expansion of the compressed data occurs after the data is compressed*).

Regarding **Claim 14**, Ueno teaches an electronic camera according to claim 10, wherein said image sensor is a CMOS type (*Col 19 Line 14*).

Regarding **Claim 15**, Ueno teaches an electronic camera according to claim 10, wherein said output means includes a resolution reduction means for reducing a resolution of the decompressed image data. Col 8 Lines 29-34 teaches that a low resolution is used to display images, therefore the apparatus provides means to reduce to this low resolution for outputting to the display.

Regarding **Claim 16**, Ueno teaches an electronic camera according to claim 10, wherein said compression means performs compression in a lossy format. Col 27 Lines 4-5 teaches JPEG, a lossy format.

Regarding **Claim 17**, Ueno teaches an electronic camera according to claim 10, wherein the image data is still image data (*Col 8 Lines 4-5*).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. **Claim 12** is rejected under 35 U.S.C. 103(a) as being unpatentable over Ueno et al. (US 6757016) in view of Duncan et al. (US 6961084).

Regarding **Claim 12**, Ueno teaches an electronic camera according to claim 10, but fails to teach a storage means for temporarily storing in a memory the compressed image data generated by said compression means; and a recording means for recording on a recording medium the compressed image data stored in said memory in response to a recording instruction.

It is well known in the art to store and record image data after compression. Duncan teaches a camera apparatus where processed image data is compressed and then it is recorded when the user wants to record, and stored (*Col 6 Lines 12-17*).

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teaching of Ueno with that of Duncan to store and record

Art Unit: 2622

compressed data after compression because compressed data is suitable for accurate and compact storage for later use.

Allowable Subject Matter

5. **Claim 13** is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Tsukioka (US 7181092) teaches an imaging apparatus with a color filter array capable of intermittent readout operation in horizontal and vertical directions.

Nishikawa et al. (US 2001/0036359) teaches a digital camera including a signal processing circuit to read from a camera data.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Amy Hsu whose telephone number is 571-270-3012. The examiner can normally be reached on M-F 8am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lin Ye can be reached on 571-272-7372. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2622

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Amy Hsu
Examiner
Art Unit 2622

ARH 9/29/07



LIN YE
SUPERVISORY PATENT EXAMINER